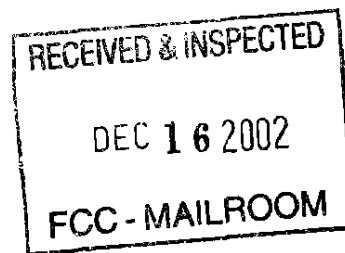


Georgia Technology Authority

DOCKET FILE COPY ORIGINAL

December 13, 2002

Federal Communications Commission  
Office of the Secretary  
9300 East Hampton Drive  
Capitol Heights, MD 20743Re: Waiver Request of October 28, 2001 Deadline  
CC Docket Nos. 96-45 and 97-21  
Billed Entity Number: 127326  
471 Application Number: 230653  
Funding Request Number(s): 549324, 549156, 549406

On November 5, 2001, the Georgia Technology Authority filed an appeal to the Schools and Library Division requesting reconsideration of actions resulting from missing a 486 filing deadline by one day. Schools and Libraries have denied the appeal in full. Attachment A is the appeal filed with Schools and Libraries. Attachment B is the denial issued by Schools and Libraries of the appeal.

The Georgia Technology Authority requests consideration by the FCC in approving the appeal of the missed 486 date due to the following circumstances some of which are detailed in the November appeal, (Attachment A). The original 486 was filed on time; however a missed check box resulted in rejection by Schools and Libraries. Notification of the deficiency was received from the SLD by the Georgia Technology Authority on Friday, October 26, 2001. The corrected form was mailed on the next business day, Monday, October 29, 2001. The published due date was Sunday, October 28, 2001. Given the date of receipt of the SLD's notice of the deficiency, it was not possible for the Georgia Technology Authority to return the form prior to Monday, October 29, 2001. Regardless, SLD offices are not open for business on Sunday, therefore SLD **was** not capable of receiving the corrected form until Monday, October 29, 2001.

The Georgia Technology Authority believes that it has set forth a legitimate grounds for the FCC to overturn the SLD decision. Our position is supported by the SLD's current practices:

**The SLD extends deadlines that fall on Sundays**

The current Schools and Libraries website states that there is an extension to an October 28, 2002 deadline to December 8, 2002 for invoices to be filed. *The December 8, 2002 date is noted as falling on a Sunday and states that because December 8, 2002 is a Sunday, SLD is giving until December 9, 2002 to file the invoices.* See (Attachment C) for a copy of the SLD website extending a deadline from Sunday to Monday.

No. of Copies rec'd \_\_\_\_\_  
List ABCDE

Federal Communications Commission  
Page 2  
December 13, 2002

Georgia Technology Authority requests the FCC consider this waiver due to inconsistencies between filing dates and that filing dates for some forms are extended to a business day (Monday) in the Appendix C instance.

We respectfully request that the penalty incurred due to missing the 486 deadline file be waived and funding for the entire funding year restored.

Sincerely,

A handwritten signature in black ink, appearing to read "Renee M. Herr", with a long horizontal flourish extending to the right.

Renee Herr, Chief Network Officer  
Georgia Technology Authority  
200 Piedmont Avenue  
Suite 1702  
Atlanta, Georgia 30334-9010  
Ph 404-463-2322  
Fax 404-656-0421



E-RATE

## Georgia Technology Authority

Roy E. Barnes  
Governor

Larry J. Singer  
Chief Information Officer  
& Executive Director

November 5, 2001

Letter of Appeal  
Schools and Libraries Division  
Box 125 Correspondence Unit  
80 South Jefferson Road  
Whippany, NJ 07981

**RE:** Appeal of missed Deadline Rate for Form 486

Dear Schools and Libraries Division,

The Georgia Technology Authority respectfully wishes to file an appeal for a missed deadline date for submitting FCC Form 486 with the Schools and Libraries Division.

In early October, the process responsibility for the E-rate program was handed to a new department within GTA because the former employees who handled the program had either transferred to other departments or had retired. This basically left no one in the former department to file the E-rate forms.

With the best information that we could gather on such short notice and with some assistance from a former employee that was previously involved with the E-rate program, we faxed what we believed was a complete and accurate Form 486. Our submission date was 10-12-01 and the Form 486 package was sent Next-Day Air via Federal Express.

We received a Form 486 Return Letter dated 10-22-01. This Return Letter was postmarked 10-22-01 and was sent via standard First Class US Mail. The Return Letter apparently arrived in the afternoon mail drop on 10-26-01 after the close of business and we were not aware of it until the morning of 10-29-01. We immediately corrected the Form 486 with the necessary check mark in the appropriate section and sent it via Federal Express Next Day Air the morning of 10-29-01.

The reasons indicated as to why the Form 486 was returned state:

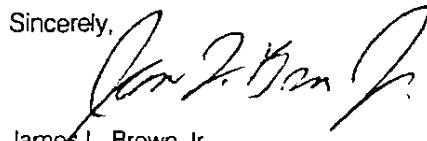
- The Certifications in Block 4, Items 11(a) – 11(e), of the FCC Form 486 submitted are all blank. For Funding Year 4 and later Funding Years, Billed Entities must check at least one of the boxes labeled (a) through (e) in Item 11.

We regret not having checked the appropriate box for this new section of the Form 486. Even the former E-rate process person that we had overview the Form 486 did not identify that there was a requirement to make a selection in this area of the form.

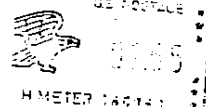
We are concerned that we, in good faith filled out the Form 486 to the best of our knowledge, sent it in two weeks before the deadline date, using the most expeditious method available, now have the possibility of losing several Hundreds or Thousands of Dollars worth of funding because of a single check mark.

We ask that the review of this appeal grants an acceptance of the corrected Form 486 and designates the Funding Date as July 1, 2001.

Sincerely,



James L. Brown Jr.  
GSAMS Technical Coordinator



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

486  
LAMEEKA PARSONS  
GA TECHNOLOGY AUTHORITY  
200 PEIDMONT AVE, STE. 1416W  
ATLANTA, GA 30334-9010

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2 / 7001 1140 0002 1855 3574

PS Form 3811, March 2001

Domestic Return Receipt

702595-01-M-1424

7001 1140 0002 1855 3574



CERTIFIED MAIL

PLACE STICKER TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS TO GET A CERTIFIED MAIL

**FIRST CLASS MAIL**



**PRIORITY MAIL**

UNITED STATES POSTAL SERVICE™

LABEL107R, OCT 1997

[www.usps.gov](http://www.usps.gov)



Universal Service Administrative Company  
Schools & Libraries Division

---

FORM 486 RETURN LETTER

**10/22/2001**

LAMEEKA PARSONS  
GA TECHNOLOGY AUTHORITY  
**200 PEIDMONT AVE. STE. 1416W**  
ATLANTA, GA **30334-9010**

Re: Applicant's Form **486** Identifier: **GSAMS00-02**

Dear LAMEEKA PARSONS:

Enclosed you will find an FCC Form 486 Receipt of Service Confirmation Form that you sent to the Schools and Libraries Division (SLD). Unfortunately, we are unable to **process** your **Form**. We have included a list of the reason(s) why we were not able to process your Form. We encourage you to review this information and make the necessary corrections or changes to the Form and resubmit your FCC Form 486 to us.

Reasons Why Your FCC Form **486** is Being Returned to You:

- The certifications in Block **4**, **Items 11(a)-11(e)**, ~~of~~ the FCC Form **486** submitted are all blank. For Funding Year 4 and later Funding **Years**, Billed Entities must check at least one of the **boxes** labeled (a) through (e) in Item **11**.

We regret the delay in processing your form. We encourage you to respond to this letter as soon as you are able, by submitting a correct FCC Form 486. If you have any questions about the enclosed information, or you need a clean copy of the FCC Form 486, please visit the **SLD Web Site** at <http://www.sl.universalservice.org>; or, contact our Client Service ~~Bureau at 888-203-8100~~. Once you return a correct FCC Form ~~486 to the SLD~~, we ~~will~~ process your Form and notify each Service Provider that is listed in this **Form** of the relevant information for the particular service or group of services being delivered by that Service Provider to you.

Schools and Libraries Division  
Universal Service **Administrative** Company

Enclosure (1) FCC Form **486**

# FedEx USA Airbill Express

FROM Please print and print name  
Date 10/12/01 Sender's FedEx Account Number 1485-3177-3

Sender's Name La'Meeka Parsons Phone 404-656-2319

Company GA Technology Authority

Address 200 Piedmont Ave, Ste 1416W

City Atlanta State GA ZIP 30334-9010

## Your Internal Billing Reference

To Recipient's Name Mr. Smith Phone 888-203-8100

Company SLD - Form 486

Address 3833 Greenway Drive

City Lawrence State Kansas ZIP 66046

Questions? Visit our Web site at [fedex.com](http://fedex.com)  
or call 1-800-Go-FedEx® (800)463-3339

By using this Airbill you agree to the service conditions on the back of this Airbill and in our current Service Guide, including terms that limit our liability.

# FedEx USA Airbill Express

FROM Please print and print name  
Date 10/29/01 Sender's FedEx Account Number 1485-3177-3

Sender's Name La'Meeka H. Parsons Phone 404-656-2319

Company GA Technology Authority

Address 200 Piedmont Ave STE 1416W

City Atlanta State GA ZIP 30334

## Your Internal Billing Reference

To Recipient's Name SLD - Ms. Smith Phone 888-203-8100

Company SLD-Form 486

Address 3833 Greenway Drive

City Lawrence State KS ZIP 66046

Questions? Visit our Web site at [fedex.com](http://fedex.com)  
or call 1-800-Go-FedEx® (800)463-3339

By using this Airbill you agree to the service conditions on the back of this Airbill and in our current Service Guide, including terms that limit our liability.

## 4a Express Package Service

☒ FedEx Priority Overnight ☐ FedEx Standard Overnight ☐ FedEx First Overnight

☐ FedEx 2Day ☐ FedEx Express Saver ☐ NEW FedEx Extra Hours

## 4b Express Freight Service

☐ FedEx 1Day Freight ☐ FedEx 2Day Freight ☐ FedEx 3Day Freight

## 5 Packaging

☐ FedEx Envelope ☐ FedEx Pak ☐ Other Pkg

## 6 Special Handling

☐ SATURDAY Delivery RESTRICTIONS ☐ SUNDAY Delivery RESTRICTIONS ☐ HOLD Weekday at FedEx Location RESTRICTIONS ☐ HOLD Saturday at FedEx Location RESTRICTIONS

Does this shipment contain dangerous goods? ☐ No ☐ Yes

☐ Dry Ice ☐ Fragile ☐ High Value ☐ Signature Required ☐ Signature Required - Adult

## 7 Payment

☒ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

Total Packages 1 Total Weight 4.07 Total Declared Value \$ .00

404

## 8 Release Signature

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

Form 1200-Post (10/01) 1-800-463-3339 FedEx® (TM) © 2001 FedEx Corp.

## 4a Express Package Service

☒ FedEx Priority Overnight ☐ FedEx Standard Overnight ☐ FedEx First Overnight

☐ FedEx 2Day ☐ FedEx Express Saver ☐ NEW FedEx Extra Hours

☐ FedEx 1Day Freight ☐ FedEx 2Day Freight ☐ FedEx 3Day Freight

☐ FedEx 1Day Freight ☐ FedEx 2Day Freight ☐ FedEx 3Day Freight

## 5 Packaging

☐ FedEx Envelope ☐ FedEx Pak ☐ Other Pkg

## 6 Special Handling

☐ SATURDAY Delivery RESTRICTIONS ☐ SUNDAY Delivery RESTRICTIONS ☐ HOLD Weekday at FedEx Location RESTRICTIONS ☐ HOLD Saturday at FedEx Location RESTRICTIONS

Does this shipment contain dangerous goods? ☐ No ☐ Yes

☐ Dry Ice ☐ Fragile ☐ High Value ☐ Signature Required ☐ Signature Required - Adult

## 7 Payment

☒ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

Total Packages 1 Total Weight \$ .00

404

## 8 Release Signature

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

Form 1200-Post (10/01) 1-800-463-3339 FedEx® (TM) © 2001 FedEx Corp.

486

Area

3060-0853

Applicant's Form Identifier GSAMS00-02  
 Create your own code to identify THIS Form 486)

Form 486 Application #                       
 (To be inserted by Fund Administrator)

1. Name of Billed Entity  
 GA Technology Authority

2. Billed Entity Number  
 127326

3. Funding Year  
 07/01/01-06/30/02

#### Contact Person Information

Contact Person Name  
 a'Meeka Parsons

Mailing Address (if different from Item 4)  
 Street Address, P. O. Box or Route Number

City

State

Zip Code

☐ IO-Digit Telephone Number  
 404-656-2319

☐ Fax Telephone Number

☒ E-Mail Address  
 lhpanson@gta.ga.gov

Check the **box** next to the preferred mode of contact. (At least one **box** MUST be checked.)

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

NOTICE: The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the form will be used to inform the Schools and Libraries Division of the Universal Service Administrative Company that a billed entity, and/or the schools and libraries that it represents, has begun or has planned to begin to receive service after receiving a funding commitment approval pursuant to FCC Form 471.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or potential violation of an FCC statute, regulation, rule or order, your application may be referred to the federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party in a proceeding before the body or has an interest in the proceeding.

If you do not provide the information requested on the form, your application may be returned without action or your application may be delayed.

A foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

The public reporting burden for this collection of information is estimated to average 15.0 hours for the first submission and 1.5 hours for subsequent submissions, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden, to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

Entity Number 127326 Applicant's Form Identifier GSAMS00-02  
Contact Person La'Meeka Parsons Phone Number 404-656-2319

**Block 2a: FUNDING YEAR 4 ONLY — Early Filing Information**

ITEM 6A: FOR FUNDING YEAR 4 (THE FUNDING YEAR BEGINNING **JULY 1,2001**)

**6A. EARLY FILING.** CHECK THE BOX BELOW IF THE FRNs ON THIS FORM 486 ARE FOR SERVICES STARTING **ON OR BEFORE** OCTOBER 28, 2001.

- ☒ The Funding Requests listed in Block 3 below have been approved by SLD as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before October 28,2001.

Remember: Early filing for Funding Year 4 using Item 6A is an option if and **ONLY** if services **will** start **on** or before October **28,2001**, all relevant certifications in Block 4 can be accurately made, and the Form **486** is postmarked **on** or before October **28,2001**.

**Block 2b: FUNDING YEARS AFTER FUNDING YEAR 4 — Early Filing Information and CIPA Waiver Request**

ITEMS 6B and 6C: FOR FUNDING YEARS **AFTER** FUNDING YEAR 4 (FUNDING YEARS BEGINNING **JULY 1,2002** OR LATER)

**6B. EARLY FILING.** CHECK THE BOX BELOW IF THE FRNS ON THIS FORM 486 ARE FOR SERVICES STARTING **ON OR BEFORE** JULY 31 OF THE FUNDING YEAR.

- ☐ The Funding Requests listed in Block 3 below have been approved by SLD as shown in my Funding Commitment Decision Letter (FCDL). I have confirmed with the service provider(s) featured in those Funding Requests that these services will start on or before July 31 of the Funding Year.

Remember: Early filing for Funding **Years** after Funding Year 4 using Item 6B is an option if and **ONLY** if services will start within the month of July of the relevant Funding Year, all relevant certifications in Block 4 can be accurately made, and the Form **486** is postmarked **on** or before July 31 of the Funding Year.

**6C. CIPA WAIVER.** CHECK THE BOX BELOW IF YOU ARE REQUESTING A WAIVER OF CIPA REQUIREMENTS FOR THE SECOND FUNDING YEAR AFTER APRIL 20,2001 IN WHICH YOU **HAVE** APPLIED FOR DISCOUNTS IF YOU AS THE BILLED ENTITY ARE THE ADMINISTRATIVE AUTHORITY.

- ☐ I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the schools or libraries represented in the Funding Request Number(s) on this Form **486** will be brought into compliance with the CIPA requirements before the start of the Third Funding Year after April 20,2001 in which they apply for discounts.



Entity Number GA Technology Authority Applicant's Form Identifier GSAMS00-02  
 Contact Person La'Meeka Parsons Phone Number 404-656-2319

### Block 3: Service Information

7. Please provide the following information for each Form 471 Block 5 (Discount Funding Request) item for which the Billed Entity is indicating that the named Service Provider may begin submitting invoices to SLD. You will need your FCDL for some of the information required below.

Remember: The FRNs listed below must be from the same Funding Year as is listed in Item 3, Block 1.

If you need additional pages, please label them 3A, 3B, 3C, etc. and indicate the number in the space provided here. Page 3     

	(A) 471 Application Number  (10 digits)  From FCDL	(B) Funding Request Number (FRN)  (10 digits)  From FCDL	(C) Billing Account Number  (required if contained on your FCDL)	(D) Service Provider Name  From FCDL	(E) Service Provider Identification Number (SPIN)  (9 digits)  From FCDL	(F) Funding Year Service Start Date'  (Earliest Date that Discounts Will Begin)  (* Cannot be before July 1 of the Funding Year for which you are requesting discounts.) (mm/dd/yyyy)
1	230653	549156	404 R01-0012	BellSouth Telecommunications Service	140300482	07/01/2001
2	230653	549324		AT&T Corp.	143001192	07/01/2001
3	230653	549406		Sprint Communications Company	143005695	17/01/2001
4						
5						
6						
7						
8						

Entity Number 127326 Applicant's Form Identifier GSAMS00-02  
Contact Person La'Meeka Parsons Phone Number 404-666-2319

#### Block 4: Certifications and Signature

8. I certify that the technology plan(s) for the services received as indicated on this Form 486 have been approved **as** necessary. Fill in the name(s) of the organization(s) that reviewed and approved a technology plan for any eligible entity that is receiving services covered under this form; attach an additional list if necessary. If ALL of the FRNs listed herein are for basic telephone service only, write in "none" here.

NONE 1/18/02

9. I certify that the services listed on this Form 486 have been, are planned to be, or are being provided to all or some of the eligible entities identified in the Form 471 application(s) cited above. I certify that there are signed contracts covering all of the services listed on this Form 486 except for those services provided under tariff or month-to-month arrangements. I certify that I am authorized to submit this receipt of service confirmation on behalf of the above-named Billed Entity, that I have examined this request, and that, to the best of my knowledge, information, and belief, all statements of fact contained herein are true.
10. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the services receive an appropriate share of benefits from those services. I recognize that I may be audited pursuant to this application and **will** retain for five years any and all records, including Forms 479 where required, that I rely upon to complete this form and, if audited will make available to the Administrator such records

##### NOTES FOR COMPLETING THE CERTIFICATIONS IN ITEM 11

- A Billed Entity who is the Administrative Authority must check Item 11a or 11b or 11c. Check **only** ONE item. If the Billed Entity is not the Administrative Authority, skip to Item 11d.
- A Billed Entity who represents one or more Administrative Authorities must check Item 11d or 11e. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")
- A Billed Entity who represents one or more Administrative Authorities in Funding Years after Funding Year 4 and who checks Item 11d must check Item 11f for 11g. (See the Form 486 Instructions for Item 11, "Special Notes for Billed Entities Who Represent One or More Administrative Authorities.")
- **IF THIS FORM PERTAINS TO A FUNDING YEAR PRIOR TO FUNDING YEAR 4 (THE FUNDING YEAR BEGINNING JULY 1, 2001), SKIP TO ITEM 12.**

##### I. FOR A BILLED ENTITY WHO **IS** THE ADMINISTRATIVE AUTHORITY

I certify that as of the date of the **start** of discounted services:

- a. ☐ the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
- b. ☐ pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 **is** (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next Funding year, but has (have) not completed all requirements of CIPA ~~for~~ this funding year.
- c. ☐ the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service represented in the Funding Request Number(s) on this Form 486 is (are) receiving discount services only for telecommunications services.

Entity Number	127326	Applicant's Form Identifier	GSAMS00-02
Contact Person	La'Meeka Parsons	Phone Number	404-656-2319

☒

2. Signature of authorized person

13. Date

10/12/01

Please submit this form to:

SLD-Form 486  
P. O. Box 7026  
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service. Return Receipt Requested, send this form to:

SLD-Form 486  
c/o Ms. Smith  
3833 Greenway Drive  
Lawrence, Kansas 66046  
888-203-8100



**Universal Service Administrative Company**  
Schools & Libraries Division

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**Administrator's Decision on Appeal - Funding Year 2001-2002**

October 18, 2002

James L. Brown  
Georgia Technology Authority  
100 Peachtree Street, Suite 2300  
Atlanta, GA 30303-3404

Re:      Billed Entity Number:            127326  
         471 Application Number:           230653  
         Funding Request Number(s):       549324, 549156, 549406  
         Your Correspondence Dated:       March 4, 2002

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Four Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number:            549324, 549156, 549406  
Decision on Appeal:                    **Denied in full**  
Explanation:

- In your letter of appeal that you have stated that you received notice of an omission on your Form 486. However, the notice was received less **than** 1 business day before the deadline date of 10/28/2001. This prevented you from submitting the corrected Form 486 in a timely fashion. You have requested that the SLD review this appeal and return the service start date to 7/01/2001.
- Upon thorough review of your appeal it was determined that your original Form 486 submission was postmarked 10/15/2001. This Form 486 was returned by the SLD because you did not complete Block 4, Items IIA-IIE. Your corrected Form 486 submission is postmarked 10/29/2001, which is after the 10/28/2001 deadline. For Funding Year 2001, if the Service Start Date featured on the Form 486 was on or before October 28, 2001 and the date of the Funding Commitment Decision Letter was on or before October 28, 2001, the Form 486 must have been

postmarked on or before October 28, 2001 in order to receive discounts retroactively to the Service Start Date. If an applicant missed this deadline, the Form 486 postmark date became the start date for discounted services. Funding commitments on funding requests with monthly charges were adjusted accordingly. The SLD does not provide discounts for the services rendered prior to the new start date. Your Funding Commitment Decision Letter is dated 9/14/2001, your Service Start Date is 7/01/2001. You have acknowledged that your completed Form 486 was filed after the 10/28/2001 deadline but have asked the SLD to waive or extend this deadline. This is not allowed per program rules. Consequently, the appeal is denied.

- Upon review of your appeal it was determined that your original Form 486 was submitted on 10/15/2001. However, this form was rejected by the SLD for failing minimum processing standards as you did not complete Block 4, Items 11a-11E. Your corrected Form 486 was postmarked 10/29/2001; therefore the SLD has used 10/29/2001 as your service start date. **As** your original 486 submission failed to meet minimum processing standards and your corrected 486 was postmarked after the 10/28/2001 deadline your appeal is denied.
- If the date of your Funding Commitment Decision Letter was on or before October 28, 2001 and the Service Start Date you reported on your Form 486 was on or before October 28, 2001, your Form 486 must have been received or postmarked on or before October 28, 2001. The date **of** your Funding Commitment Decision Letter for FCC Form 471 # 230653 was 9/14/2001. The Service Start Date you reported on your Form 486 was 7/01/2001. The postmark date of your Form 486 was 10/29/2001. Since your FCC Form 486 was postmarked after October 28, 2001, the SLD has revised your Service Start Date to your FCC Form 486 postmark date and reduced your funding commitment amount based on the revised Service Start Date.
- FCC rules provide that in Funding Year 2001, the FCC Form 486 must be postmarked no later than October 28, 2001 and that for subsequent funding years, the FCC Form 486 certifications must be provided to the Administrator in accordance with existing program guidelines established by the Administrator. *See* 47 C.F.R. § 54.520(g). Existing program guidelines are explained in the Funding Commitment Decision letter. Your Funding Year 4 Funding Commitment Decision letter notified you that “[I]f your services start after October 28, 2001, your Form 486 must be postmarked no later than 120 days after the Service Start Date or 120 days after the date of the Funding Commitment Decision Letter, whichever is later, in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this filing deadline will result in reduced funding.” *See* Funding Commitment Decision Letter (Funding Year 4: 07/01/2001 – 06/30/2002), page 2. Since your FCC Form 486 was postmarked more than 120 days after the Service Start Date you indicated on your FCC Form 486, SLD has reduced your funding.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12<sup>th</sup> Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the “Appeals Procedure” posted in the Reference Area of the SLD web site, [www.sl.universalservice.org](http://www.sl.universalservice.org).

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company



USAC

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## Reminders for Funding Year 2003 Applicants (11/22/02)

The Form 471 application filing window opened on November 4, 2002 **and will close on February 6, 2003 at 11:59 PM EST.** The SLD is providing the important reminders below to assist you with the application process. Each topic below is linked to an HTML document that provides detailed information on that topic.

### General Reminders

- Use the correct forms and read the instructions...
- File early, and file online...
- Remember the deadlines for filing the forms...

### Form 470 Reminders

- You must ensure an open, fair competitive process...
- You must *select* the most cost-effective provider...
- The Form 470 cannot be completed by a service provider...
- You must save

SLD has determined that a sizable number of Funding Year 2002 applications associated with a particular service provider are not consistent with Federal Communications Commission (FCC) regulations governing the Schools and Libraries Universal Service Support Mechanism. SLD has begun denying these applications.

Application and competitive bidding processes involving some or all of the following patterns and practices are not consistent with FCC rules:

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documentation  
showing that you  
have complied ...

- Review the Minimum Processing Standards...

#### Form 471 Reminders

- Wait at **least 28** days **after** the **POSTING** of your Form 470 ...
- **You cannot** seek discounts for services in a category of service. ..
- You are encouraged to file your Priority 1 and Priority-2 requests...
- **You must pay the** non-discounted **portion of the cost.** ..
- **You must be able** to demonstrate **that** you have **secured** access.
- **You must be authorized to sign** the Form 471...
- Review the **Minimum Processing Standards**...
- **Submit** your Item 21 attachment...
- **LIBRARIES:** Review the revised method for calculating ...

request(s).

- o This type of procurement activity mislead potential bidder to the detriment of the competitive process mandated by the FCC.
- o FCC rules require applicants to select their service provider through the FCC Form 470 posting process and after complying with competitive bidding requirements.
- o FCC rules do not allow applicants select service providers through a process other than the process specified in Schools and Libraries Support Mechanism regulations.
- Any FCC Form(s) 470 or RFP(s) issued by applicants that will form the basis for an FCC Form 471 application must define the specific services or functions (and quantity and/or capacity) for which funding will be sought and applicants must obtain specific cost information, including prices for products and services to be provided
  - o Applicants are required to choose the most cost-effective alternative, with price being the single most heavily weighted



- factor.
- o Applicants may not receive funding for services rendered by a "technology partner," "program architect," "strategic partner," or other systems integrator, unless the goods and services to be provided are specified.
  - o By not being specific about the services sought and not seeking prices for those services, selecting a service provider through this type of FCC Form 470, RFP or other method violates the requirement to choose the most cost-effective provider.

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## Headlines

### **New Data Entry Procedure for Incorrect Library Discounts on Paper Forms 471** (12/10/02)

For Funding Year 2003, libraries must use a revised method to calculate their E-rate discounts. Because the discount for a library outlet or branch will now come directly from the **Discount Matrix**, the discount entered for a library outlet or branch must correspond to one of the entries in the Discount Matrix (20%, 25%, 40%, 50%, 60%, 70%, 80% or 90%). If the discount for a library

### **FY2003 Filing Window Extended Three Weeks to February 6, 2003** (12/2/02)

In response to concerns from the applicant and service provider communities - and in consultation with the FCC and the USAC Schools and Libraries Committee - the Schools and Libraries Division is extending the deadline for the Funding Year 2003 Form 471 application filing window to Thursday, February 6, 2003 at 11:59

outlet or branch on a paper Form 471 Block 4 Worksheet is not from the Discount Matrix, the SLD will use the next highest discount percentage from the Discount Matrix to complete data entry of the form.

Applicants should not be concerned if they see a higher discount or a higher funding request in their Receipt Acknowledgment Letters than the discount and request they submitted on their paper forms. SLD's Program Integrity Assurance (PIA) team will contact library applicants to verify the discount to which library applicants are entitled using the revised method, and adjust the discount if necessary.

For more information on the revised method for calculating library discounts, please see pages 16-17 of the **Form 471**

**Instructions.** Information is also available from the Client Service Bureau via e-mail at [question@universalservice.org](mailto:question@universalservice.org), via fax at 1-888-276-8736, or via phone at 1-888-203-8100.

#### **Miscellaneous Updates to Web Site** (12/6/02)

Following is a list of the documents or pages have changed on this web site during the past week:

The Form 471 application filing window deadline has been extended to February 6, 2003. References to the deadline date in the **Form 471 Instructions** have been updated. References to the deadlines for the Form 470 and Form 471 accessed from the Reminder box phrase "**Remember the deadlines for filing the forms...**" have been updated as well.

PM EST.

**Read More ▶**

#### **Miscellaneous Updates to Web Site** (11/29/02)

Some documents on the SLD web site are in the process of being created or updated. Rather than post an update notice for each document, the **SLD** will post a notice each Friday of important document changes that have occurred during the week.

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#### **Online Form 471 Returned to Original Interface**

(11/14/02)

Due to continued technical difficulties with the online PDF version of the Form 471, the SLD has replaced the PDF interface with the original data entry system. Applicants who have applied in past funding years will be familiar with this system, and the online application process should now go smoothly.

If you filed a Form 471 on or before November 14, 2002, using the online PDF interface, please read the following points carefully:

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#### **Eligible Services Update for 800 Service** (11/12/02)

800 Service (toll calling that is paid by the called party rather than the calling party) is included in the SLD's Eligible Services List, and is generally eligible for E-rate discounts. However, the use of 800 service to access a school or library network from an ineligible location is not eligible. Applicants

The SPECIAL NOTE in the **Deadline for Information Requests** now defines both the winter AND summer periods during which the SLD will only enforce information request deadlines when a successful two-way contact is made.

Beginning with Funding Year 2003, libraries must determine their urban or rural status in order to apply for discounts. The text in the **Rural/Urban Classification** document has therefore been changed to refer to both schools AND libraries.

You can now access the new dynamic Entity Search feature from the Reference Area by clicking on **Entity Numbers**.

**"Warning to Funding Year 2003 Applicants" Revised**  
(12/4/2002)

The notice posted on December 3 "Warning to Funding Year 2003 Applicants and Service Providers Regarding Application Patterns that Violate FCC Rules" has been revised to be more precise about the requirements with respect to the description of services on the Form 470 and the level of specificity that should be achieved in the technology plan. Changes have been made to the second major bullet and to the first sub-bullet under the third major bullet.

**Deadline for Invoices for FY 2001 Recurring Services**  
(12/3/02)

If your Form 486 Notification Letter was issued on or before August 11, 2002, invoices for recurring services for Funding Year 2001 must be postmarked no later than **December 9, 2002**. (The original October 28 deadline for these invoices was extended to December 8, 2002, as reported in

utilizing 800 service for data connectivity must provide a certification that access will not be available from non-school or non-library sites. The **Eligible Services List** will be updated to reflect this clarification.

**Revised Instructions for Calculating Library Discounts for FY2003**  
(10/31/02)

The FCC has released a Public Notice (DA 02-2792, released October 23, 2002) announcing a revision in the method libraries use to calculate their discounts under E-rate. This revision is reflected in the revised Form 471 and Instructions (see related posting below).

To review the revised instructions for library discount calculations, please refer to the section on Block 4, Worksheet B in the revised **Form 471 Instructions** [PDF format, 4.24MB] posted in the **SL Forms** section of this web site.  
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a previous posting. Because December 8 falls on a Sunday, invoices postmarked on December 9 will meet the deadline.) If you are filing Billed Entity Applicant Reimbursement (BEAR) Forms 472 for recurring services, remember that those forms must be certified by the service provider before you can submit them **to** the SLD. You should allow sufficient time for your service provider to process your BEAR Form and return it to you so that it can be postmarked by the deadline.

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